

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68931

**Eiko KATO, et al.**

Appln. No.: Unknown

Confirmation No.: Not yet assigned

Group Art Unit: Not yet assigned

Filed: **September 2, 2004**

Examiner: Not yet assigned

For: **WHITENING COSMETIC COMPOSITION**

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents submitted herewith, as is a Communication from a foreign patent office.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: Based on PCT/JP03/02646

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such a document, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office. Also, the foreign language document, WO 98/51679, includes an English-language Abstract.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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Date: September 2, 2004

Substitute for Form 1449 A & B/PTO		Cite if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number	Unknown 10/506335
		Confirmation Number	Not yet assigned
		Filing Date	September 2, 2004
		First Named Inventor	Eiko KATO, et al.
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Sheet 1 of 1	Attorney Docket Number	Q68931	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 2,988,553		06/13/1961	Willi KÜSSNER, et al.
		US 5,932,612	A	08/03/1999	Benjamin D. GORDON, et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	03/037290	A1	05/08/2003	SHOWA DENKO K.K.	
		WO	98/51679	A1	11/19/1998	LVMH RECHERCHE	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		MASAMITSU ICHIHASHI, et al./The Inhibitory Effect of DL-a-Tocopheryl Ferulate in Lecithin on Melanogenesis/Anticancer Research 19: 3769-3774 (1999)	
		JIRO TAKATA, et al./Prodrugs of Vitamin E. 1. Preparation and Enzymatic Hydrolysis of Aminoalkanecarboxylic Acid Esters of d-a-Tocopherol/ Journal of Pharmaceutical Sciences, Vol. 84, No. 1, January 1995, pages 96-100	
		KARLA WERNINGHAUS, MD et al./ Evaluation of the Photoprotective Effect of Oral Vitamin E Supplementation/ Arch. Dermatol.; 130:1257-1261, October 1994	
		Abstract of YUZURU AOKI, et al./ Skin Cosmetics Containing Vitamin E Derivatives and Citrus Junos Extracts (Database accession no. 134:256613 CA for JP 2001-081022A dated March 27, 2001)	
		Patent Abstracts of Japan, Vol. 014, No. 397 (C-0752), August 28, 1990 for JP-A-2-149577 (Eisai Co., Ltd.)	

Examiner Signature	<b>BEST AVAILABLE COPY</b>	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.